

**STATE OF VERMONT COUNTY OF WINDHAM
SUPERIOR COURT**

RICHARD L. ELKINS and RONALD RODJENSKI,
Plaintiffs,
v.
MICROSOFT CORPORATION,
a Washington Corporation,
Defendant

Case No. 165-4-01 Wmcv
(Vt. Super. Ct.)

**AFFIDAVIT OF SETTLEMENT ADMINISTRATOR
POORMAN-DOUGLAS CORPORATION**

**STATE OF OREGON
COUNTY OF WASHINGTON**

I, Richard C. Bland, being duly sworn, depose and state:

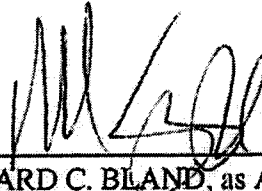
1. I am more than 18 years old and have personal knowledge of the facts contained in this affidavit. I am an Account Executive in the Legal Services Division of Poorman-Douglas Corporation ("PDC"), which is the Settlement Administrator in the above-captioned case. My responsibilities as an Account Executive include overseeing the administrative functions of the settlement administration process including compliance with the provisions of the Settlement Agreement for the case, directing the noticing of potential members of the class as defined by the Settlement Agreement, processing and recording of opt-outs as prescribed in the Settlement Agreement, and managing and allocating staff, facilities, and other resources to meet the guidelines established for the case.
2. PDC has extensive experience as a settlement administrator for class action cases, in which it, among other things, oversees the publication of notice and processing of claims.

PDC has been mailing legal and financial notices and statements for over 35 years and has provided more general class action administration services for the past 10 years. During that time, PDC has handled many large, complex cases, including but not limited to: the Louisiana-Pacific Inner-Seal Siding Litigation, CV-95-879-JO-LEAD, United States District Court for the District of Oregon, Honorable Robert E. Jones ("L-P Siding"); the Holocaust Victim Assets Litigation, CV-96-4849, United States District Court for the Eastern District of New York, Honorable Edward R. Korman ("Swiss Banks"); and *Pigford v. Glickman*, CV 97-1978 and 97-1693, United States District Court for the District of Columbia, Honorable Paul L. Friedman ("Black Farmers Case").

3. I have experience in class action administration management and have served as the Account Executive in charge of the administration for such cases as *Hunter v. Bank One*; *Crockett v. United States Purchasing Exchange*; *Providian Credit Card Cases*; *Hill vs. CVS Rx Services*; and *Bristow v. Fleetwood Enterprises*.
4. The Notice Period in this case began on August 30, 2004 and ended on October 29, 2004.
5. During that period, PDC, through its subsidiary corporation, Huntington Legal Advertising ("HLA"), published notice of the class action settlement in the following publications: *Barre Montpelier Times Argus*, *Bennington Banner*, *Brattleboro Reformer*, *Burlington Free Press*, *Newport Daily Express*, *Rutland Herald*, *St. Albans Messenger*, *St. Johnsbury Caledonian Record*, and *Valley News*. See Affidavit of Huntington Legal Advertising, ¶ 10.
6. As of February 22, 2005, PDC mailed the "long form" version of the court-approved notice of this class action settlement and either a standard or volume claim form to approximately 67,854 potential members of the class.

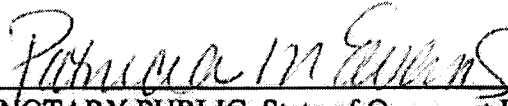
7. As of February 22, 2005, PDC sent by e-mail the publication version of the court-approved notice to 71,339 potential members of the class.
8. The mailed and e-mailed notice included a link to a website maintained by PDC that provides further information about the settlement and that enables class members to download a claim form. As of February 22, 2005, the website received 710 unique hits, which resulted in the download of 339 claim forms.
9. The mailed and e-mailed notice also included a toll-free phone number to a telephone voice response system maintained by PDC that provides recorded answers to frequently asked questions, enables class members to request notice and claim forms, and connects class members with a live operator. As of February 22, 2005, PDC received 232 calls to its voice response unit, which, in conjunction with written requests, resulted in 18 requests for claim forms.
10. Both the phone and web applications remain active and will remain active through the Claim Period.
11. In addition to providing these various forms of notice, PDC has begun to process claims that have been submitted. As of February 22, 2005, PDC has received and loaded into its database 13 volume and 1,004 standard claim forms. PDC will continue to process claims through the end of the Claim Period, which will be no earlier than June 14, 2005. PDC is also the settlement administrator for twelve other virtually identical settlements involving Microsoft and, based on its experience in those other settlements, PDC expects that the number of claims submitted in this settlement may increase significantly toward the end of the Claim Period.

12. PDC has also processed requests for opting out of the settlement. As of February 23, 2005, PDC received 36 valid opt-outs and 0 potential opt-outs. A list of the opt-outs is attached as Exhibit A.



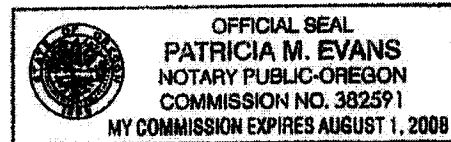
RICHARD C. BLAND, as Account Executive

SWORN TO AND SUBSCRIBED before me, this 24th day of February, 2005.



NOTARY PUBLIC, State of Oregon at Large
Print or Stamp Commissioned Name of Notary

Personally Known ✓, or Produced Identification _____



Microsoft Vermont Settlement

Opt Outs by Type Detail

From: 06/01/2004 Thru: 02/22/2005 Summary Totals

Company Opt Outs

ALLOWED

<u>Opt Out Nbr</u>	<u>First Name\Cor Last Name</u>	<u>Address</u>			
1300016	LEON BERTHAUME	140 FEDERAL ST	VT	05478-2015	UNITED STATES
	ST. ALBANS COOPERATIVE CREAMERY, SAINT ALBANS				
1300030	VAN CHESNUT	BILINGS COMMERCIAL PARK	VT	05088	UNITED STATES
	ADVANCE TRANSIT	WILDER			
1300034	MARY LINDSTROM	ONE STATE FARM PLAZA	IL	61710-0001	UNITED STATES
	STATE FARM MUTUAL AUTOMOBILE IN BLOOMINGTON				

ALLOWED

Count: 3

	ALLOWED	Total
	3	3
Company Opt Outs	Total	3

38	RODNEY FURR	30 MATTHEW DR FLORENCE	MA	01062	UNITED STATES
1300001	CHRIS BAGLEY	1448 ROUTE 7 S MIDDLEBURY	VT	05753-8995	UNITED STATES
1300003	BAMBI FREEMAN	STERLING BROOK FARM STOWE	VT	05672	UNITED STATES
1300004	ALISON FARNSWORTH	239 FARNSWORTH LANE BROOKFIELD	VT	05036	UNITED STATES
1300005	REGINA BRAULT	125 CHERRY LN BURLINGTON	VT	05401-4910	UNITED STATES
1300006	HANNAH WILSON	75 CCC ROAD			

1300007	DUANE	WYMAN	SHREWSBURY	VT	05738	UNITED STATES
			PO BOX 23 READING	VT	05062-0023	UNITED STATES
1300008	HAROLD	BOESCHENSTEIN JR	PO BOX 1465 STOWE	VT	05672-1465	UNITED STATES
1300009	SARAH	MONTUORI	312 VALLEY VIEW RD WHITE RIVER JUNCTION	VT	05001-9632	UNITED STATES
1300010	REGINALD	ASHE	154 JERICHO ST WHITE RIVER JUNCTION	VT	05001-9336	UNITED STATES
1300011	MICHELLE	THOMAS	PO BOX 5322 BURLINGTON	VT	05402-5322	UNITED STATES
1300012	JOHN	WARREN	7 RIVERWOODS DRIVE D 212 EXETER	NH	03833	UNITED STATES
1300013	DENISE	NATALE DC	66 ROUTE 100 NORTH LUDLOW	VT	05149	UNITED STATES
1300014	LISA	CALCHERA	233 MCCAFFREY RIDGE PUTNEY	VT	05346	UNITED STATES
1300015	TERRI	ZIMMERMANN	20 PHEASANT WOODS UNIT 201 COLCHESTER	VT	05446	UNITED STATES
1300017	DAVID	BRONSON	991 TORREY LN BRIDPORT	VT	05734-9495	UNITED STATES
1300018	ALICE	BOWMAN	151 WILLISTON WOODS RD WILLISTON	VT	05495	UNITED STATES
1300020	LAWRENCE	DUNBAR	2334 MCCANN AVE #29 CHEYENNE	WY	82001	UNITED STATES
1300021	ASHLEY	CARLSON	PO BOX 1195 QUECHEE	VT	05059-1195	UNITED STATES
1300022	J. TIMOTHY	IDE	154 MOUNTAIN VIEW DR DANVILLE	VT	05828-9640	UNITED STATES
1300023	JERRY	STARKS	49 FOSTER RD ESSEX JUNCTION	VT	05452	UNITED STATES

1300024	DOROTHEA STARKS	49 FOSTER RD ESSEX JUNCTION	VT	05452-3315	UNITED STATES
1300025	GLORIA HOWARD	65 N MAIN ST APT 605 RANDOLPH	VT	05060-1143	UNITED STATES
1300026	ERIKA GARROW	1760 W TUMBLEWEED LANE COTTONWOOD	AZ	86326	UNITED STATES
1300027	REBECCA CISAR	279 MAIN STREET WINOOSKI	VT	05405	UNITED STATES
1300028	ADRIAN CRIMMINS	5921 A NORMANDY RD FORT CARSON	CO	80913	UNITED STATES
1300029	RAYMOND MCCLURE	351 FARRELL STREET SOUTH BURLINGTON	VT	05403	UNITED STATES
1300031	CHARLES PUFAHL	PO BOX 592 MANCHESTER	VT	05254	UNITED STATES
1300032	KIMBERLY FRIEDMAN	53 CHAPIN ROAD SOUTH NEWFANE	VT	05351	UNITED STATES
1300033	CAROL DEMSKE	671 BASSWOOD HILL RD BAKERSFIELD	VT	05441-9740	UNITED STATES
1300035	JEAN DICKINSON	604 ROOD POND RD WILLIAMSTOWN	VT	05679-9582	UNITED STATES
1300036	ALFRED NELSON	2137 PLEASANT STREET BETHEL	VT	05032-9517	UNITED STATES
1300037	WALTER DEMSKE	671 BASSWOOD HILL RD BAKERSFIELD	VT	05441-9740	UNITED STATES

ALLOWED	Count:
Individual Opt Outs	33
ALLOWED	33
Total	33

